

AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY APRIL 28, 2003
AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 999

**Introduced by Assembly Member Jerome Horton
(Principal coauthor: Assembly Member Montanez)**

February 20, 2003

An act to add Section 14132.27 to the Welfare and Institutions Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 999, as amended, Jerome Horton. Medi-Cal: dental ~~fillings~~ *restorative materials*.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and certain other low-income persons.

Existing law includes emergency and essential diagnostic and restorative dental services, and dental prophylaxis cleanings and dental examinations within the scope of benefits that may be provided to eligible recipients under the Medi-Cal program.

This bill would authorize Medi-Cal providers to recommend, after consultation with the beneficiary, and to receive reimbursement for, *certain* dental restorative materials other than the covered benefit of amalgam.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) The Medi-Cal program, which is administered by the State
4 Department of Health Services, has defined a scope of dental
5 benefits that may limit a patient's choice of treatment.
6 (b) Dentists have an interest in providing patients with all
7 currently available treatment options.
8 (c) As required by Section 1648.10 of the Business and
9 Professions Code, the Dental Board of California has prepared a
10 dental materials factsheet that is provided to every new patient and
11 to patients of record prior to the performance of dental restoration
12 work and that describes the various dental restorative materials.
13 The patient acknowledges receipt of this factsheet with his or her
14 signature. Additionally, the dentist needs to provide this factsheet
15 only once to each patient unless the factsheet is subsequently
16 revised.
17 (d) According to the Dental Board of California, the factsheet
18 is intended to accomplish both of the following goals:
19 (1) Encourage discussion between patient and dentist about the
20 selection of dental restorative materials best suited for the patient's
21 dental needs.
22 (2) Demonstrate that dental professionals and the public are
23 concerned about the safety of dental treatment and any potential
24 health risks that are associated with the materials used to restore
25 teeth.
26 (e) If a dentist, in consultation with the patient, determines that
27 a treatment option not included in the benefits of the Denti-Cal
28 program is within the standard of care, the dentist should have the
29 choice of providing that treatment.
30 (f) The Dental Board of California enacted a resolution urging
31 state policies that give low-income consumers the same choices in
32 dental restorative materials as those enjoyed by all other
33 consumers.
34 SEC. 2. Section 14132.27 is added to the Welfare and
35 Institutions Code, to read:



1 14132.27. (a) For purposes of this section, dental restorative
2 materials are limited to ~~those dental restorative materials~~
3 *composite resin, glass ionomer cement, and resin ionomer cement*
4 as described on the Dental Board of California's dental materials
5 factsheet.

6 (b) A provider of services that includes the provision of
7 ~~restorative dental fillings~~ *dental restorative materials* to a
8 beneficiary under this chapter may recommend, after consultation
9 with the beneficiary, a dental restorative material other than the
10 covered benefit of amalgam.

11 (c) A provider may claim and receive the reimbursement rate
12 for an amalgam restoration when using a different dental
13 restorative material.

